

1 LAWRENCE A HILDES (WSBA# 35035)  
 2 P.O. Box 5405  
 3 Bellingham, WA 98227  
 4 Telephone: (360) 715-9788  
 5 Fax: (360) 714-1791

FILED ENTERED  
 LODGED RECEIVED

JUN -2 2005 ES

AT SEATTLE  
 CLERK U.S. DISTRICT COURT  
 BY WESTERN DISTRICT OF WASHINGTON DEPUTY

6  
 7 Paul Richmond (WSBA# 32306)  
 8 4616 25th Avenue NE, #449  
 9 Seattle, WA, 98105  
 10 (206) 526-0565

11 Attorneys for Plaintiffs:

12 ANDREW HEDDEN, AARON KULLER, JESSE JOHNSON,  
 13 JARRET PUTMAN, CAYLA M. CASIANI, GREGORY DUDLEY,  
 14 MACKENZIE HAMILTON, NICOLE MARIE BADE, JOHN W. DELACY,  
 15 CHRISTOPHER G. KONKEL, ANDREW S. DELL, DALE HARDWAY,  
 16 JOHN BUCKNER, BRUCE WHITMORE, JACK WHITEHORSE,  
 17 DAWN HARDIN, TERRY BATTERSON, GRAHAM CLARK, BRIDGET  
 18 O'BRIEN-SMITH, MICHAEL VARGAS and ROGER STOCKER  
 19

20  
 21 UNITED STATES DISTRICT COURT  
 22 WESTERN DISTRICT OF WASHINGTON

23 005-0999 TSZ

24  
 25 ANDREW HEDDEN, AARON KULLER,  
 26 JESSE JOHNSON, JARRET PUTMAN,  
 27 CAYLA M. CASIANI, GREGORY  
 28 DUDLEY, MACKENZIE HAMILTON,  
 29 NICOLE MARIE BADE, JOHN W.  
 30 DELACY, CHRISTOPHER G. KONKEL,  
 31 ANDREW S. DELL, DALE HARDWAY,  
 32 DAWN HARDIN, JOHN BUCKNER,  
 33 BRUCE WHITMORE, JACK  
 34 WHITEHORSE, TERRY BATTERSON,  
 35 GRAHAM CLARK, BRIDGET O'BRIEN-  
 36 SMITH, WILLIAM MICHAEL  
 37 VARGAS, and ROGER STOCKER

) CASE NO.  
 )  
 ) COMPLAINT FOR CIVIL RIGHTS  
 ) VIOLATIONS 42 USC 1983;  
 ) FALSE ARREST, FALSE  
 ) IMPRISONMENT, BATTERY,  
 ) ASSAULT, TRESPASS TO CHATTEL,  
 ) CONVERSION,  
 ) INTENTIONAL INFLICTION OF  
 ) EMOTIONAL DISTRESS, NEGLIGENCE

38  
 39 Plaintiffs,

40  
 41 vs.

42  
 43 CITY OF SEATTLE; SEATTLE POLICE  
 44 DEPARTMENT; THE LAW  
 45 ENFORCEMENT INTELLIGENCE UNIT )



05-CV-00999-CMP

1 TUKWILLA POLICE DEPARTMENT, )  
 2 BURIEN POLICE DEPARTMENT, )  
 3 RENTON POLICE DEPARTMENT, )  
 4 REDMOND POLICE DEPARTMENT, )  
 5 KING COUNTY SHERIFF'S OFFICE, )  
 6 CAPTAIN MICHAEL SANFORD, )  
 7 individually and in his official capacity )  
 8 as a CAPTAIN OF THE SEATTLE )  
 9 POLICE DEPARTMENT; and JANE )  
 10 DOE SANFORD, his wife, and the )  
 11 marital community there of ; CHIEF R. )  
 12 GIL KERLIKOWSKIE individually and in )  
 13 his capacity as the CHIEF )  
 14 of the SEATTLE POLICE DEPARTMENT )  
 15 and JANE DOE KERLIKOWSKIE )  
 16 and the marital community composed )  
 17 thereof; CLARK KIMERER, )  
 18 individually and in his capacity as )  
 19 a DEPUTY CHIEF of the SEATTLE )  
 20 POLICE DEPARTMENT And JANE DOE )  
 21 KIMERER and the marital )  
 22 community composed thereof; )  
 23 ASSISTANT CHIEF JIM PUGEL, )  
 24 individually and in his official capacity )  
 25 as an ASST. CHIEF of the SEATTLE )  
 26 POLICE DEPARTMENT and JANE DOE )  
 27 PUGEL and the marital community )  
 28 composed thereof; STEVE WILSKE, )  
 29 individually and in his Official capacity )  
 30 as a LIEUTENANT OF THE SEATTLE )  
 31 POLICE DEPARTMENT, and JANE DOE )  
 32 WILSKE and the marital community )  
 33 composed thereof; J.K. DYMENT, )  
 34 individually and in her Official capacity )  
 35 as a SERGEANT of the SEATTLE )  
 36 POLICE DEPARTMENT AND JOHN DOE )  
 37 DYMENT, and the marital community )  
 38 composed thereof; A.C. PRICE, )  
 39 individually and in his Official capacity )  
 40 as a SERGEANT OF the SEATTLE )  
 41 POLICE DEPARTMENT, and JANE )  
 42 DOE PRICE and the marital community )  
 43 composed thereof; G. CALDER, )  
 44 individually and in his Official capacity )  
 45 as a LIEUTENANT of the SEATTLE )

1 POLICE DEPARTMENT and JANE DOE )  
 2 CALDER and the marital community )  
 3 composed thereof; J.J. JANKAUSKAS, )  
 4 individually and in his official capacity )  
 5 as a LIEUTENANT of the SEATTLE )  
 6 POLICE DEPARTMENT and JANE DOE )  
 7 JANKAUSKAS, and the marital )  
 8 community thereof; M.A. COOMES, )  
 9 individually and in his Official capacity )  
 10 as a SERGEANT of the SEATTLE )  
 11 POLICE DEPARTMENT and JANE DOE )  
 12 COOMES and the marital community )  
 13 thereof; D.R. LOWE, individually and in )  
 14 his Official capacity as a SERGEANT of )  
 15 the SEATTLE POLICE DEPARTMENT )  
 16 and JANE DOE LOWE and the marital )  
 17 community thereof; J.J. MAGAN, )  
 18 individually and in his official capacity )  
 19 as a SERGEANT of the SEATTLE )  
 20 POLICE DEPARTMENT and JANE DOE )  
 21 MAGAN and the marital community )  
 22 thereof; SGT. BRADY, individually )  
 23 and in his Official capacity as a )  
 24 SERGEANT of the SEATTLE POLICE )  
 25 DEPARTMENT, and JANE DOE BRADY )  
 26 and the marital community thereof; )  
 27 SGT. BROTHERTON, individually and )  
 28 in his Official capacity as a SERGEANT )  
 29 of the SEATTLE POLICE DEPARTMENT, )  
 30 and JANE DOE BROTHERTON and the )  
 31 marital community thereof; DETECTIVE R. )  
 32 ROMERO, individually and in his Official )  
 33 capacity as a DETECTIVE of the SEATTLE )  
 34 POLICE DEPARTMENT and JANE DOE )  
 35 ROMERO and the marital community )  
 36 thereof; P.C. WALL, individually and in his )  
 37 Official capacity as an OFFICER of the )  
 38 SEATTLE POLICE DEPARTMENT, and )  
 39 JANE DOE WALL and the marital )  
 40 Community thereof; D.D. DARNALL, )  
 41 individually and in his Official capacity )  
 42 as an OFFICER of the SEATTLE POLICE )  
 43 DEPARTMENT, and JANE DOE DARNALL )  
 44 and the marital community thereof; R. )  
 45 NELSON, individually and in his Official )

1 capacity as an OFFICER of the SEATTLE )  
 2 POLICE DEPARTMENT and JANE DOE )  
 3 NELSON and the marital community thereof )  
 4 G. NELSON, individually and in his )  
 5 Official capacity as a SERGEANT of the )  
 6 SEATTLE POLICE DEPARTMENT, and )  
 7 JANE DOE NELSON and the marital )  
 8 Community thereof; MATTHEW M. DIESZI, )  
 9 Individually and in his Official capacity as )  
 10 an Officer of the SEATTLE POLICE )  
 11 DEPARTMENT and JANE DOE DIESZI )  
 12 and the marital community thereof; K. )  
 13 SWANK, individually and in his Official )  
 14 capacity as an OFFICER of the SEATTLE )  
 15 POLICE DEPARTMENT and JANE DOE )  
 16 SWANK and the marital community thereof; )  
 17 TAD K. WILLOUGHBY, individually and in )  
 18 his Official capacity as a SERGEANT of )  
 19 the SEATTLE POLICE DEPARTMENT, and )  
 20 JANE DOE WILLOUGHBY and the marital )  
 21 community thereof; MICHAEL WHIDBEY, )  
 22 individually and in his Official capacity as a )  
 23 DETECTIVE of the SEATTLE POLICE )  
 24 DEPARTMENT and JANE DOE WHIDBEY )  
 25 and the marital community thereof; VERNER )  
 26 O'QUIN, individually and in his Official )  
 27 capacity as a SERGEANT of the SEATTLE )  
 28 POLICE DEPARTMENT and JANE DOE )  
 29 O'QUIN and the marital community thereof; )  
 30 SGT. JANDOC, individually and in his )  
 31 Official capacity as a SERGEANT of the )  
 32 SEATTLE POLICE DEPARTMENT and JANE )  
 33 DOE JANDOC and the marital community )  
 34 thereof; OFFICER LANDERS, individually )  
 35 and in his Official capacity as an Officer of )  
 36 the SEATTLE POLICE DEPARTMENT and )  
 37 JANE DOE LANDERS and the marital )  
 38 community thereof; LOREN R. STREET )  
 39 individually and in his Official capacity as an )  
 40 OFFICER of the SEATTLE POLICE )  
 41 DEPARTMENT and JANE DOE STREET )  
 42 and the marital community thereof; P.J. FOX, )  
 43 individually and in his Official capacity as an )  
 44 OFFICER of the SEATTLE POLICE )  
 45 DEPARTMENT, and JANE DOE )

1 FOX and the marital community )  
 2 thereof; THOMAS M. MOONEY, individually )  
 3 and in his Official capacity as an OFFICER )  
 4 of the SEATTLE POLICE DEPARTMENT, )  
 5 and JANE DOE MOONEY and the marital )  
 6 community thereof; K. ZEIGER, individually )  
 7 and in his Official capacity as an OFFICER )  
 8 of the SEATTLE POLICE DEPARTMENT, )  
 9 and JANE DOE ZEIGER and the marital )  
 10 community thereof; J.J. LEE, individually )  
 11 and in his Official capacity as an OFFICER )  
 12 of the SEATTLE POLICE DEPARTMENT, )  
 13 and JANE DOE LEE and the marital )  
 14 community thereof; RIK K. HALL, )  
 15 individually and in his Official capacity as )  
 16 an OFFICER of the SEATTLE POLICE )  
 17 DEPARTMENT, and JANE DOE HALL and )  
 18 the marital community thereof; M. LANZ, )  
 19 individually and in his Official capacity as an )  
 20 OFFICER OF THE SEATTLE POLICE )  
 21 DEPARTMENT, and JANE DOE LANZ and )  
 22 the marital community thereof; PATRICIA )  
 23 A. MACDONALD, individually and in her )  
 24 capacity as an OFFICER of the SEATTLE )  
 25 POLICE DEPARTMENT and JOHN DOE )  
 26 MACDONALD and the marital community )  
 27 thereof; WALTER M. HAYDEN, individually )  
 28 and in his Official capacity as an OFFICER )  
 29 of the SEATTLE POLICE DEPARTMENT, )  
 30 and JANE DOE HAYDEN and the marital )  
 31 community thereof; MARK A. GRINSTEAD, )  
 32 individually and in his Official capacity as an )  
 33 Officer of the SEATTLE POLICE )  
 34 DEPARTMENT, and JANE DOE GRINSTEAD )  
 35 and the marital community thereof; TOMMIE )  
 36 M. DORAN, individually and in his Official )  
 37 capacity as an OFFICER of the SEATTLE )  
 38 POLICE DEPARTMENT and JANE DOE )  
 39 DORAN and the marital community thereof; )  
 40 ADRIAN Z. DIAZ, individually and in his )  
 41 Official capacity as a SERGEANT of the )  
 42 SEATTLE POLICE DEPARTMENT, and )  
 43 JANE DOE DIAZ and the marital community )  
 44 thereof; CHAD L. MCLAUGHLIN, )  
 45 Individually and in his Official capacity as an )

1 OFFICER of the SEATTLE POLICE )  
 2 DEPARTMENT, and JANE DOE )  
 3 MCLAUGHLIN and the marital community )  
 4 thereof; BRAD CONWAY, individually and in )  
 5 his Official capacity as an Officer of the )  
 6 SEATTLE POLICE DEPARTMENT, and )  
 7 JANE DOE CONWAY and the marital )  
 8 community thereof; MATTHEW BRAD RICK, )  
 9 individually and in his Official capacity as an )  
 10 OFFICER of the SEATTLE POLICE )  
 11 DEPARTMENT, and JANE DOE BRAD RICK )  
 12 and the marital community thereof; DAVID )  
 13 FITZGERALD, individually and in his Official )  
 14 Capacity as an OFFICER of the SEATTLE )  
 15 POLICE DEPARTMENT and JANE DOE )  
 16 FITZGERALD and the marital community )  
 17 thereof; RANDALL A. JOKELA, individually )  
 18 and in his Official capacity as an OFFICER )  
 19 of the SEATTLE POLICE DEPARTMENT, )  
 20 and JANE DOE JOKELA and the marital )  
 21 community thereof; GEORGE HISSUNG JR )  
 22 individually and in his Official capacity as an )  
 23 OFFICER of the SEATTLE POLICE )  
 24 DEPARTMENT, and JANE DOE HISSUNG )  
 25 and the marital community thereof; JASON )  
 26 G. DRUMMOND, individually and in his )  
 27 Official capacity as an OFFICER of the )  
 28 SEATTLE POLICE DEPARTMENT, and )  
 29 JANE DOE DRUMMOND and the marital )  
 30 community thereof; JOHN A . DIAZ, )  
 31 individually and in his Official capacity as an )  
 32 OFFICER of the SEATTLE POLICE )  
 33 DEPARTMENT, and JANE DOE DIAZ and )  
 34 the marital community thereof; OFFICER )  
 35 MCCRAE, individually and in his Official )  
 36 capacity as an OFFICER of the SEATTLE )  
 37 POLICE DEPARTMENT, and JANE DOE )  
 38 MCCRAE and the marital community thereof )  
 39 JAMES B. PATCHEN, individually and in )  
 40 his Official capacity as an OFFICER of the )  
 41 SEATTLE POLICE DEPARTMENT and JANE )  
 42 DOE PATCHEN and the marital community )  
 43 thereof; MICHAEL M. SUDDUTH, individually )  
 44 and in his Official capacity as an OFFICER )  
 45 of the SEATTLE POLICE DEPARTMENT, )

1 and JANE DOE SUDDUTH and the marital )  
 2 community thereof; WILLIE WILLIAMS, )  
 3 individually and in his Official capacity as an )  
 4 OFFICER of the SEATTLE POLICE )  
 5 DEPARTMENT, and JANE DOE WILLIAMS )  
 6 and the marital community thereof; W. )  
 7 CRAVENS, individually and in his Official )  
 8 capacity as an OFFICER of the SEATTLE )  
 9 POLICE DEPARTMENT, and JANE DOE )  
 10 CRAVENS and the marital community )  
 11 thereof; R. BOURNES, individually and in )  
 12 his Official capacity as an OFFICER of the )  
 13 SEATTLE POLICE DEPARTMENT, and )  
 14 JANE DOE BOURNES and the marital )  
 15 community thereof; MARK L. WORSTMAN, )  
 16 individually and in his Official capacity as )  
 17 a SERGEANT of the SEATTLE POLICE )  
 18 DEPARTMENT, and JANE DOE WORSTMAN )  
 19 BILL GARDINER, individually and in his )  
 20 Official capacity as a LIEUTENANT of the )  
 21 WASHINGTON STATE PATROL, and JANE )  
 22 DOE GARDINER and the marital community )  
 23 thereof; MARK W. LAMOREAUX, individually )  
 24 and in his Official capacity as a )  
 25 LIEUTENANT of the WASHINGTON STATE )  
 26 PATROL, and JANE DOE LAMOREAUX and )  
 27 the marital community thereof; SHAWN )  
 28 BERRY, individually and in his Official )  
 29 capacity as a DETECTIVE of the )  
 30 WASHINGTON STATE PATROL, and JANE )  
 31 DOE BERRY and the marital community )  
 32 thereof; JAMES A. CHROMEY, individually )  
 33 and in his Official capacity as a )  
 34 LIEUTENANT of the WASHINGTON STATE )  
 35 PATROL, and JANE DOE CHROMEY and the )  
 36 marital community thereof; DAVID W. )  
 37 BOURLAND, individually and in his Official )  
 38 capacity as a TROOPER of the )  
 39 WASHINGTON STATE PATROL, and JANE )  
 40 DOE BOURLAND and the marital community )  
 41 thereof; CURT G. BOYLE, individually and in )  
 42 his Official capacity as a TROOPER of the )  
 43 WASHINGTON STATE PATROL, and JANE )  
 44 DOE BOYLE and the marital community )  
 45 thereof; RICARDO BRITO, Individually and in )



1 his Official capacity as a TROOPER of the )  
 2 WASHINGTON STATE PATROL, and JANE )  
 3 DOE BRITO and the marital community )  
 4 thereof; DARIN F. DE RUWE, individually )  
 5 and in his Official capacity as a TROOPER )  
 6 of the WASHINGTON STATE PATROL, and )  
 7 JANE DOE DE RUWE and the marital )  
 8 community thereof; BRYAN R. DUCOMMUN, )  
 9 individually and in his Official capacity as a )  
 10 TROOPER of the WASHINGTON STATE )  
 11 PATROL, and JANE DOE DUCOMMUN and )  
 12 the marital community thereof; ANN E. )  
 13 DUTTON, individually and in her Official )  
 14 Capacity as a DETECTIVE of the )  
 15 WASHINGTON STATE PATROL, and JOHN )  
 16 DOE DUTTON and the marital community )  
 17 thereof; KEVIN L. FORRESTER, individually )  
 18 and in his Official capacity as a DETECTIVE )  
 19 of the WASHINGTON STATE PATROL, and )  
 20 JANE DOE FORRESTER and the marital )  
 21 community thereof; JOEL W. GORDON, )  
 22 individually and in his Official capacity as a )  
 23 DETECTIVE of the WASHINGTON STATE )  
 24 PATROL, and JANE DOE GORDON and the )  
 25 marital community thereof; CHRIS T. )  
 26 GUNDERMANN, individually and in his )  
 27 Official capacity as a SERGEANT of the )  
 28 WASHINGTON STATE PATROL, and JANE )  
 29 DOE GUNDERMANN and the marital )  
 30 community thereof; JOI J. HANER, )  
 31 individually and in her Official capacity as )  
 32 a TROOPER of the WASHINGTON STATE )  
 33 PATROL, and JOHN DOE HANER and the )  
 34 marital community thereof; ROGER D. )  
 35 HANSBERRY, individually and in his Official )  
 36 capacity as a TROOPER of the )  
 37 WASHINGTON STATE PATROL, and JANE )  
 38 DOE HANSBERRY and the marital )  
 39 community thereof; RUSSELL J. HANSON, )  
 40 individually and in his Official capacity as a )  
 41 TROOPER of the WASHINGTON STATE )  
 42 PATROL, and JANE DOE HANSON and the )  
 43 marital community thereof; JEFFREY R. )  
 44 KERSHAW, individually and in his Official )  
 45 capacity as a DETECTIVE of the )



1 WASHINGTON STATE PATROL, and JANE )  
 2 DOE KERSHAW and the marital community )  
 3 thereof; DANIEL L. MANN, individually and in )  
 4 his Official capacity as a DETECTIVE of the )  
 5 WASHINGTON STATE PATROL, and JANE )  
 6 DOE MANN and the marital community )  
 7 thereof; GEORGE R. MARS, JR., individually )  
 8 and in his Official capacity as a DETECTIVE )  
 9 of the WASHINGTON STATE PATROL, and )  
 10 JANE DOE MARS and the marital community )  
 11 thereof; JOHN G. MCMULLEN, individually )  
 12 and in his Official capacity as a TROOPER of )  
 13 the WASHINGTON STATE PATROL and )  
 14 JANE DOE MCMULLEN and the marital )  
 15 community thereof; DARRELL R. NOYES, )  
 16 individually and in his Official capacity as a )  
 17 TROOPER of the WASHINGTON STATE )  
 18 PATROL, and JANE DOE NOYES and the )  
 19 marital community thereof; STEVEN E. )  
 20 REEVES, individually and in his Official )  
 21 capacity as a TROOPER of the )  
 22 WASHINGTON STATE PATROL and JANE )  
 23 DOE REEVES and the marital community )  
 24 thereof; WESLEY H. RETHWILL, individually )  
 25 and in his Official capacity as a SERGEANT )  
 26 of the WASHINGTON STATE PATROL, and )  
 27 JANE DOE RETHWILL and the marital )  
 28 community thereof; CRAIG L. SAHLINGER, )  
 29 individually and in his Official capacity as a )  
 30 TROOPER of the WASHINGTON STATE )  
 31 PATROL, and JANE DOE SAHLINGER and )  
 32 the marital community thereof; DAVID J. )  
 33 BROWNE, individually and in his Official )  
 34 capacity as a SERGEANT of the )  
 35 WASHINGTON STATE PATROL, and JANE )  
 36 DOE BROWNE and the marital community )  
 37 thereof; GARY D. GASSELING, individually )  
 38 and in his Official capacity as a SERGEANT )  
 39 of the WASHINGTON STATE PATROL, and )  
 40 JANE DOE GASSELING and the marital )  
 41 community thereof; PAUL M. STANEK III., )  
 42 individually and in his Official capacity as a )  
 43 DETECTIVE of the WASHINGTON STATE )  
 44 PATROL, and JANE DOE STANEK and the )  
 45 marital community thereof; RICHARD A. )

1 TAYLOR, individually and in his Official )  
 2 capacity as a DETECTIVE of the )  
 3 WASHINGTON STATE PATROL, and JANE )  
 4 DOE TAYLOR and the marital community )  
 5 thereof; GARY M. WILCOX, individually and )  
 6 in his Official capacity as a DETECTIVE of )  
 7 the WASHINGTON STATE PATROL, and )  
 8 JANE DOE WILCOX and the marital )  
 9 community thereof; OREST D. WILSON, )  
 10 individually and in his Official capacity as a )  
 11 DETECTIVE of the WASHINGTON STATE )  
 12 PATROL, and JANE DOE WILSON and the )  
 13 marital community thereof; RONALD W. )  
 14 SERPAS, Individually and in his Official )  
 15 capacity as the CHIEF of the WASHINGTON )  
 16 STATE PATROL, and JANE DOE SERPAS )  
 17 and the marital community thereof; DANIEL )  
 18 E. EIKEM, individually and in his OFFICIAL )  
 19 capacity as a CAPTAIN of the WASHINGTON )  
 20 STATE PATROL, and JANE DOE EIKEM )  
 21 and the marital community thereof; STEVEN )  
 22 D. MCCULLEY, individually and in his Official )  
 23 capacity as a LIEUTENANT of the )  
 24 WASHINGTON STATE PATROL, and JANE )  
 25 DOE MCCULLEY and the marital community )  
 26 thereof; VANCE PROCTER; MANUFACTURER )  
 27 OF LESS LETHAL WEAPONRY DOES 1-100 )  
 28 DISTRIBUTOR and/or SALES AGENT OF LESS )  
 29 LETHAL WEAPONRY DOES 1-100 and DOES )  
 30 1-500 )

31 )  
 32 Defendants. )  
 33 )  
 34

35 ANDREW HEDDEN, AARON KULLER, JESSE JOHNSON,  
 36 JARRET PUTMAN, CAYLA M. CASIANI, GREGORY DUDLEY,  
 37 MACKENZIE HAMILTON, NICOLE MARIE BADE, JOHN W. DELACY,  
 38 CHRISTOPHER G. KONKEL, ANDREW S. DELL, DALE HARDWAY,  
 39 JOHN BUCKNER, BRUCE WHITMORE, JACK WHITEHORSE,  
 40 DAWN HARDIN, GRAHAM CLARK, TERRY BATTERSON, BRIDGET O'BRIEN-  
 41 SMITH, MICHAEL VARGAS, and ROGER STOCKER the Plaintiffs herein, by and  
 42 through their attorneys, allege as follows:  
 43

#### 44 INTRODUCTION

HEDDEN ET AL V. CITY OF SEATTLE, COMPLAINT

1           I.1     Plaintiffs are citizens of Washington who attended a demonstration  
2     which took place in downtown Seattle on the evening of June 2, 2003. The Plaintiffs  
3     were there to protest the policies and actions of an organization called the Law  
4     Enforcement Intelligence Unit (LEIU), which had gathered intelligence on lawful  
5     activists, and or to record this protest for the media. All of the Plaintiffs exercised their  
6     First Amendment rights by demonstrating peacefully, and or doing their duties as  
7     members of the media in full accordance with the law. Yet, without provocation or  
8     legitimate law enforcement purpose, and without reasonable or adequate warning, the  
9     Seattle Police Department and its agents used excessive force against the Plaintiffs  
10    and made an unreasonable seizure of the Plaintiffs by violating their rights under the  
11    Fourth, and Fourteenth Amendments to the United States Constitution; and rights  
12    under the Washington Constitution, the Seattle Police Department unreasonably  
13    interfered with Plaintiffs' First Amendment Rights and as a result Plaintiffs were chilled  
14    in the future exercise of their First Amendment Rights; and the Seattle Police  
15    Department assaulted and battered Plaintiffs by 1) dousing them with chemical  
16    weapons including OC, CS, CN combinations of these, and or similar agents sprayed  
17    at close range directly into their faces and/or 2) shooting rubber bullets and other  
18    projectiles including "wooden dowels", "flying batons", and "pepper-balls" at Plaintiffs  
19    at close range, directly hitting many of the Plaintiffs, and/or 3) .Striking Plaintiffs with  
20    hands, feet, batons, bicycles, and other instruments and/or 4) Damaging and or  
21    seizing plaintiffs video cameras, still cameras, videotapes and film and/or 5) falsely  
22    arresting Plaintiffs     These actions caused Plaintiffs serious physical and emotional  
23    harm, detriment and suffering.

24           I.2     The Seattle Police Department has a pattern and practice of flagrantly  
25    violating peaceful demonstrators' First Amendment Rights and using excessive force  
26    in other demonstrations held in Seattle, Washington on a continuing and regular basis.

1 I.3 Plaintiffs seek compensatory and punitive damages along with injunctive  
2 relief and declaratory relief from the defendants pursuant to 42 USC § 1983,  
3 and compensatory damages from the City of Seattle pursuant to the  
4 Washington Tort Claims Act.

5 I.4 Plaintiffs seek injunctive relief in the form of a court ordered ban on the  
6 use of less lethal weaponry including chemical weapons, pepper-balls,  
7 rubber bullets, flying batons, wooden dowels, stinger ball grenades, flash  
8 bang grenades and other related items for crowd control of peaceful  
9 demonstrations.

10  
11  
12 **I. JURISDICTION**

13  
14  
15 1. This court has jurisdiction over the subject matter of this action pursuant to  
16 Title 28, United States Code Sections 1331, 1332, 1343, and 1367, and venue is  
17 properly set in the Western District Federal Court pursuant to 28 U.S.C. 1391.

18 2. The claims upon which this suit is based occurred in this judicial district.

19 3. Plaintiffs are informed and believe, and on that basis allege, that each of the  
20 named Defendants, except for VANCE PROCTER who is a resident of Los Angeles  
21 County, California, reside in this judicial district, and all entity Defendants, except for  
22 the Law Enforcement Intelligence Unit, which is a registered California non-profit, are  
23 registered and do business in the District as their principal base of operations.

24  
25 **II. PARTIES**

26 1.1 Plaintiff ANDREW HEDDEN is a single male residing in the State of

1 Washington, County of Whatcom, in the Western District of Washington, who was  
2 acting lawfully within his First Amendment Rights as a participant in a peaceful  
3 permitted demonstration. He was singled out for false arrest and illegal treatment  
4 because he was known to the police as a demonstrator. He suffered severe physical  
5 and psychological harm, monetary loss, and the illegal loss of property as a direct  
6 result. The incidents herein alleged occurred in King County within the Western  
7 District of Washington.

8 1.2 Plaintiff AARON KULLER is a single male residing in the State of  
9 Washington, County of King, in the Western District of Washington, who was acting  
10 lawfully within his First Amendment Rights as a participant in a peaceful permitted  
11 demonstration. He was singled out for false arrest and illegal treatment because he  
12 was known to the police as a demonstrator. As a direct result, he suffered severe  
13 physical and emotional harm, and was subjected to repeated harassment by  
14 Defendant police agencies subsequently, resulting in additional harm. The incidents  
15 herein alleged occurred in King County within the Western District of Washington.

16 1.3 Plaintiff JESSE JOHNSON is a single man residing primarily in the State of  
17 Washington, County of King, in the Western District of Washington, who was acting  
18 lawfully within his First Amendment Rights as a journalist. He was singled out for  
19 arrest and excessive force because he, in his role as a journalist, videotaped the  
20 illegal arrest of another individual. His video camera and tapes were illegally seized  
21 and never returned, even long after his charges were dismissed. As a direct result of  
22 all of the above, he suffered severe physical, psychological, and monetary injuries.

1 The incidents herein alleged occurred in King County within the Western District of  
2 Washington.

3 1.4 Plaintiff JARRETT PUTMAN is a single male residing primarily in the State  
4 of Washington, CITY OF SEATTLE, in the Western District of Washington, who was  
5 acting lawfully within his First Amendment Rights as a demonstrator. He engaged in  
6 no illegal activity, rather the police repeatedly struck him from behind, and then simply  
7 reached out and threw him behind the police line, and then cynically charged him with  
8 charging the police line. His charges were ultimately dismissed for lack of evidence.  
9 The incidents herein alleged occurred in KING County within the Western District of  
10 Washington.

11 1.5 Plaintiff CHRISTOPHER KONKEL is a single male residing primarily in the  
12 State of Washington, County of Snohomish, in the Western District of Washington,  
13 who was acting lawfully within his First Amendment Rights as a journalist. He  
14 engaged in no illegal activity, rather the police repeatedly without justification or  
15 reason, grabbed his camera from behind and knocked it out of his hand, and then as  
16 he reached for it pushed him to the ground and pinned him, causing severe physical  
17 and psychological injuries. His camera was severely damaged by the Seattle Police  
18 Department. His criminal charges were ultimately dismissed for lack of evidence. The  
19 incidents herein alleged occurred in KING County within the Western District of  
20 Washington.

21 1.6 Plaintiff CAYLA M. CASIANI is a single female residing primarily in the  
22 State of Washington, County of Whatcom, in the Western District of Washington, who

1 was acting lawfully within her First Amendment Rights as a demonstrator. She was  
2 repeatedly pepper sprayed, struck with fists, kicked, and clubbed, and hit with various  
3 "less lethal" munitions without cause, and causing severe physical and psychological  
4 injuries. The incidents herein alleged occurred in KING County within the Western  
5 District of Washington.

6 1.7 Plaintiff GREGORY DUDLEY is a single male residing primarily in the State  
7 of Washington, County of Whatcom. He was repeatedly sprayed with chemical agents,  
8 including OC, struck with fists, kicked, and clubbed, and hit with various "less lethal"  
9 munitions without cause, and causing severe physical and psychological injuries,  
10 including chemical burns over much of his body. The incidents herein alleged  
11 occurred in KING County within the Western District of Washington.

12 1.8 Plaintiff MACKENZIE HAMILTON is a single female residing primarily in the  
13 State of Washington, County of Whatcom, in the Western District of Washington, who  
14 was acting lawfully within her First Amendment Rights as a demonstrator. She was  
15 repeatedly sprayed with chemical agents including OC, without cause while walking  
16 away from a police line in a lawful direction. This spraying caused severe physical  
17 and psychological injuries. The incidents herein alleged occurred in KING County  
18 within the Western District of Washington.

19 1.9 Plaintiff NICOLE MARIE BADE is a single female residing primarily in the  
20 State of Washington, County of KING, City of Seattle, in the Western District of  
21 Washington, who was acting lawfully within her First Amendment Rights as a medic.  
22 She was providing medical attention to a victim of police violence when police officers



1 struck her and her patient from behind in the upper back and head with their batons  
2 and drenched them in pepper spray without warning or cause, and causing severe  
3 physical and psychological injuries. The incidents herein alleged occurred in KING  
4 County within the Western District of Washington.

5 1.10 Plaintiff JOHN W. DELACY is a single male residing primarily in the State  
6 of Washington, County of Thurston, in the Western District of Washington, who was  
7 acting lawfully within his First Amendment Rights as a demonstrator. He was struck  
8 repeatedly by an officer using a bicycle as a club, and then pepper sprayed  
9 intentionally in the face, and while he was fleeing the spray lawfully, blind from the first  
10 burst, was sprayed again, causing severe physical and psychological injuries. The  
11 incidents herein alleged occurred in KING County within the Western District of  
12 Washington.

13 1.11 Plaintiff ANDREW S. DELL, is a single male residing primarily in the State  
14 of Washington, County of KING, City of Seattle, in the Western District of Washington,  
15 who was acting lawfully within his First Amendment Rights as a demonstrator. He  
16 was, while trying to flee from generally directed pepper spray and tear gas, struck and  
17 thrown to the ground by an officer without cause or warning. When he tried to get up,  
18 he was grabbed, lifted, slammed to the sidewalk on top of bicycles that were lying on  
19 the ground and choked at length, and finally sat on by multiple officers who then  
20 arrested him, falsely claiming that he had attacked a police car. The charges were  
21 subsequently dismissed. The tortuous conduct of the involved officers caused severe  
22 and ongoing physical and psychological injuries. The incidents herein alleged

1 occurred in KING County within the Western District of Washington.

2 1.12 Plaintiff DALE HARDAWAY, is a single male residing primarily in the State  
3 of Washington, County of King, City of Seattle, in the Western District of Washington,  
4 who was acting lawfully within his First Amendment Rights as a demonstrator. He was  
5 slammed to the ground by a plain clothed Seattle Police Officer without cause or  
6 warning, causing severe physical and psychological injuries. The incidents herein  
7 alleged occurred in KING County within the Western District of Washington.

8 1.13 Plaintiff Dr. JOHN BUCKNER is a married male residing primarily in the  
9 State of Washington, County of King, City of Seattle, in the Western District of  
10 Washington, who was acting lawfully within his First Amendment Rights as a  
11 demonstrator. He was sprayed in the face with pepper spray, and blinded by that  
12 spray and the effect of pepper spray shells exploding next to him without cause or  
13 warning, causing severe physical and psychological injuries. The incidents herein  
14 alleged occurred in KING County within the Western District of Washington.

15 1.14 Plaintiff BRUCE WHITMORE is a single male residing primarily in the  
16 State of Washington, County of King, City of Seattle, in the Western District of  
17 Washington, who was acting lawfully within his First Amendment Rights as a  
18 demonstrator. He was pepper sprayed twice full in the face, without warning or cause,  
19 and hit in the front once and in the back four times with less lethal projectiles, causing  
20 severe physical and psychological injuries. The incidents herein alleged occurred in  
21 KING County within the Western District of Washington.

22 1.15 Plaintiff JACK WHITEHORSE is a single male residing primarily in the

1 State of Washington, County of King, City of Seattle, in the Western District of  
2 Washington, who was acting lawfully within his First Amendment Rights as a  
3 demonstrator. He was shot once in the calf with a less lethal projectile, as he was  
4 walking away from the police line and obeying all police orders, the projectile caused  
5 severe and lingering physical and psychological injuries. The incidents herein alleged  
6 occurred in KING County within the Western District of Washington.

7 1.16 Plaintiff BRIGET O'BRIEN-SMITH is a single female residing primarily in  
8 the State of Washington, County of King, City of Seattle, in the Western District of  
9 Washington, who was acting lawfully within her First Amendment Rights as a  
10 demonstrator. She was violently falsely arrested and assaulted while observing  
11 another false arrest, causing severe physical and psychological injuries. The incidents  
12 herein alleged occurred in KING County within the Western District of Washington.

13 1.17 Plaintiff DAWN HARDIN is a single female residing primarily in the State  
14 of Washington, County of King, City of Seattle, in the Western District of Washington,  
15 who was acting lawfully within her First Amendment Rights as a demonstrator. She  
16 was violently falsely arrested and assaulted while observing another false arrest,  
17 causing severe physical and psychological injuries as well as unnecessary damage to  
18 her personal property. The incidents herein alleged occurred in KING County within  
19 the Western District of Washington.

20 1.18 Plaintiff TERRY BATTERSON is a single male, residing primarily in the  
21 State of Washington, County of King, City of Seattle, in the Western District of  
22 Washington, who was acting lawfully within his First Amendment Rights as a journalist

1 and as a demonstrator. While videotaping the illegal and unjustified arrest of two  
2 demonstrators at a related demonstration on June 5, 2003, he was violently falsely  
3 arrested and assaulted, in retaliation for his videotaping of the other arrests, causing  
4 severe physical and psychological injuries. The incidents herein alleged occurred in  
5 KING County within the Western District of Washington

6 1.19 Plaintiff GRAHAM CLARK, is a single male, residing primarily in the State  
7 of Washington, County of Whatcom, in the Western District of Washington, who was  
8 acting lawfully within his First Amendment Rights as a demonstrator, who was  
9 repeatedly sprayed with copious and gratuitous amounts of pepper spray and shot  
10 twice with less lethal munitions, suffering severe physical and psychological injuries.  
11 The incidents herein alleged occurred in KING County within the Western District of  
12 Washington.

13 1.20 Plaintiff MICHAEL VARGAS, is a single male, residing primarily in the  
14 State of Washington, County of Whatcom, in the Western District of Washington, who  
15 was acting lawfully within his First Amendment Rights as a journalist, and who was  
16 falsely arrested specifically to enable the police to seize and convert his videotape, the  
17 tool and evidence of his trade and assaulted in addition to and during the course of his  
18 false arrest, and suffering severe physical, monetary and psychological injuries. The  
19 incidents herein alleged occurred in KING County within the Western District of  
20 Washington.

21 1.21 Plaintiff ROGER STOCKER is a male residing primarily in the State of  
22 Washington, County of King, in the Western District of Washington, who was acting

1 lawfully within his First Amendment Rights attending the demonstration on June 2,  
2 2003, and acting as a Peacekeeper at same. While lawfully complying with the  
3 demands of the police, and helping to return the demonstrators to Westlake, was  
4 subjected to barrages of less lethal weaponry in front of Fourth Avenue, the blasts of  
5 which knocked people to their feet. Stocker was also exposed to chemical agents.  
6 Because of these he suffered physical and psychological injuries. The incidents  
7 herein alleged occurred in KING County within the Western District of Washington.

8  
9 2.0 The CITY OF SEATTLE is a municipal corporation located within the  
10 Western District of Washington, and organized under the laws of the State of  
11 Washington. The SEATTLE POLICE DEPARTMENT is a sub-entity of the CITY OF  
12 SEATTLE.

13 2.1 The TUKWILLA POLICE DEPARTMENT is a sub-entity of the City of  
14 Tukwilla, a municipal corporation located within the Western District of Washington,  
15 and organized under the laws of the State of Washington.

16 2.2 The BURIEN POLICE DEPARTMENT is a sub-entity of the City of Burien, a  
17 municipal corporation located within the Western District of Washington, and  
18 organized under the laws of the State of Washington.

19 2.3 The RENTON POLICE DEPARTMENT is a sub-entity of the City of Renton,  
20 a municipal corporation located within the Western District of Washington, and  
21 organized under the laws of the State of Washington.

22 2.4 The REDMOND POLICE DEPARTMENT is a sub-entity of the City of

1 Redmond, a municipal corporation located within the Western District of Washington,  
2 and organized under the laws of the State of Washington.

3 2.5 The KING COUNTY SHERIFF'S OFFICE is a sub-entity of the COUNTY  
4 OF KING, a municipal corporation located within the Western District of Washington,  
5 and organized under the laws of the State of Washington.

6 2.6 The LAW ENFORCEMENT INTELLIGENCE UNIT, herein after referred to  
7 as the LEIU, is a private non-profit, registered in California, made up virtually entirely  
8 of public employees of law enforcement agencies, that does substantial business in  
9 Washington, and reasonably and purposely avails itself of the laws of the State of  
10 Washington, and was purposefully involved in the incidents herein alleged, and  
11 therefore is subject to the jurisdiction of this court.

12 2.7 Captain MICHAEL SANFORD and Jane Doe SANFORD constitute a  
13 marital community under the laws of the State of Washington and upon belief reside  
14 within KING County within the Western District of Washington State. Upon belief,  
15 MICHAEL SANFORD was at the time of the injuries complained of in this complaint,  
16 an employee and/or agent of the CITY OF SEATTLE and the SEATTLE POLICE  
17 DEPARTMENT acting within the scope of his duties as a CAPATIN of the SEATTLE  
18 POLICE DEPARTMENT, AND AS THE INCIDENT COMMANDER for the event in  
19 question.

20 2.8 R. GIL KERLIKOWSKE and Jane Doe KERLIKOWSKE constitute a marital  
21 community under the laws of the State of Washington and upon belief reside within  
22 KING County within the Western District of Washington State. Upon belief, Mike Ware

1 was at the time of the injuries complained of in this complaint, an employee and/or  
2 agent of the CITY OF SEATTLE and the SEATTLE POLICE DEPARTMENT acting  
3 within the scope of his duties as the CHIEF of the SEATTLE POLICE DEPARTMENT

4 2.9 DEPUTY CHIEF CLARK KIMERER and JANE DOE KIMERER

5 constitute a marital community under the laws of the State of Washington and upon  
6 belief reside within KING County within the Western District of Washington State.

7 Upon belief, CLARK KIMERER was at the time of the injuries complained of in this  
8 complaint, an employee and/or agent of the CITY OF SEATTLE and the SEATTLE  
9 POLICE DEPARTMENT acting within the scope of his duties as a DEPUTY CHIEF of  
10 the SEATTLE POLICE DEPARTMENT.

11 2.10 ASSISTANT CHIEF JIM PUGEL and JANE DOE PUGEL constitute a  
12 marital community under the laws of the State of Washington and upon belief reside  
13 within KING County within the Western District of Washington State. Upon belief, Tim  
14 JANE DOE PUGEL was at the time of the injuries complained of in this complaint, an  
15 employee and/or agent of the CITY OF SEATTLE and the SEATTLE POLICE  
16 DEPARTMENT acting within the scope of his duties as an ASSISTANT CHIEF of the  
17 SEATTLE POLICE DEPARTMENT.

18 2.11 LIEUTENANT STEVE WILSKE and JANE DOE WILSKE constitute a  
19 marital community under the laws of the State of Washington and upon belief reside  
20 within KING County within the Western District of Washington State. Upon belief,  
21 STEVE WILSKE was at the time of the injuries complained of in this complaint, an  
22 employee and/or agent of the CITY OF SEATTLE and the SEATTLE POLICE



1 DEPARTMENT acting within the scope of his duties as a LIEUTENANT of the  
2 SEATTLE POLICE DEPARTMENT.

3 2.12 SERGEANT J.K. DYMENT and JOHN DOE DYMENT constitute a  
4 marital community under the laws of the State of Washington and upon belief reside  
5 within KING County within the Western District of Washington State. Upon belief, J.K.  
6 DYMENT was at the time of the injuries complained of in this complaint, an employee  
7 and/or agent of the CITY OF SEATTLE and the SEATTLE POLICE DEPARTMENT,  
8 acting within the scope of her duties as a SERGEANT of the SEATTLE POLICE  
9 DEPARTMENT.

10 2.13 SERGEANT A.C. PRICE and JANE DOE PRICE constitute a marital  
11 community under the laws of the State of Washington and upon belief reside within  
12 KING County within the Western District of Washington State. Upon belief, A.C  
13 PRICE was at the time of the injuries complained of in this complaint, an employee  
14 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as a  
15 SERGEANT of the SEATTLE POLICE DEPARTMENT.

16 2.14 LIEUTENANT G. CALDER and JANE DOE CALDER constitute a marital  
17 community under the laws of the State of Washington and upon belief reside within  
18 KING County within the Western District of Washington State. Upon belief, G.  
19 CALDER was at the time of the injuries complained of in this complaint, an employee  
20 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as a  
21 LIEUTENANT of the SEATTLE POLICE DEPARTMENT.

22 2.15 LIEUTENANT J.J. JANKAUSKAS and JANE DOE JANKAUSKAS

1 constitute a marital community under the laws of the State of Washington and upon  
2 belief reside within KING County within the Western District of Washington State.  
3 Upon belief, J.J. JANKAUSKAS was at the time of the injuries complained of in this  
4 complaint, an employee and/or agent of the CITY OF SEATTLE acting within the  
5 scope of his duties as a LIEUTENANT of the SEATTLE POLICE DEPARTMENT.

6 2.16 SERGEANT M.A. COOMES and JANE DOE COOMES constitute a  
7 marital community under the laws of the State of Washington and upon belief reside  
8 within KING County within the Western District of Washington State. Upon belief,  
9 M.A. COOMES was at the time of the injuries complained of in this complaint, an  
10 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
11 as a SERGEANT of the SEATTLE POLICE DEPARTMENT.

12 2.17 SERGEANT D.R. LOWE and JANE DOE LOWE constitute a marital  
13 community under the laws of the State of Washington and upon belief reside within  
14 KING County within the Western District of Washington State. Upon belief, D.R.  
15 LOWE was at the time of the injuries complained of in this complaint, an employee  
16 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as a  
17 SERGEANT of the SEATTLE POLICE DEPARTMENT.

18 2.18 SERGEANT J.J. MAGAN and JANE DOE MAGAN constitute a marital  
19 community under the laws of the State of Washington and upon belief reside within  
20 KING County within the Western District of Washington State. Upon belief, J.J.  
21 MAGAN was at the time of the injuries complained of in this complaint, an employee  
22 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as a

1 SERGEANT of the SEATTLE POLICE DEPARTMENT.

2 2.19 SERGEANT BRADY and JANE DOE BRADY constitute a marital  
3 community under the laws of the State of Washington and upon belief reside within  
4 KING County within the Western District of Washington State. Upon belief, SGT.  
5 BRADY was at the time of the injuries complained of in this complaint, an employee  
6 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as a  
7 SERGEANT of the SEATTLE POLICE DEPARTMENT.

8 2.20 SERGEANT BROTHERTON and JANE DOE BROTHERTON constitute  
9 a marital community under the laws of the State of Washington and upon belief reside  
10 within KING County within the Western District of Washington State. Upon belief,  
11 SGT. BROTHERTON was at the time of the injuries complained of in this complaint,  
12 an employee and/or agent of the CITY OF SEATTLE acting within the scope of his  
13 duties as a SERGEANT of the SEATTLE POLICE DEPARTMENT.

14 2.21 DETECTIVE R. ROMERO and JANE DOE ROMERO constitute a marital  
15 community under the laws of the State of Washington and upon belief reside within  
16 KING County within the Western District of Washington State. Upon belief, R.  
17 ROMERO was at the time of the injuries complained of in this complaint, an employee  
18 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as a  
19 DETECTIVE of the SEATTLE POLICE DEPARTMENT.

20 2.22 P.C. WALL and JANE DOE WALL constitute a marital community under  
21 the laws of the State of Washington and upon belief reside within KING County within  
22 the Western District of Washington State. Upon belief, P.C. WALL was at the time of

1 the injuries complained of in this complaint, an employee and/or agent of the CITY OF  
2 SEATTLE acting within the scope of his duties as an OFFICER of the SEATTLE  
3 POLICE DEPARTMENT.

4       2.23 D.D. DARNALL and JANE DOE DARNALL constitute a marital  
5 community under the laws of the State of Washington and upon belief reside within  
6 KING County within the Western District of Washington State. Upon belief, D.D.  
7 DARNAL was at the time of the injuries complained of in this complaint, an employee  
8 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as an  
9 OFFICER of the SEATTLE POLICE DEPARTMENT.

10       2.24 R. NELSON and JANE DOE NELSON constitute a marital community  
11 under the laws of the State of Washington and upon belief reside within KING County  
12 within the Western District of Washington State. Upon belief, R. NELSON was at the  
13 time of the injuries complained of in this complaint, an employee and/or agent of the  
14 CITY OF SEATTLE acting within the scope of his duties as an OFFICER of the  
15 SEATTLE POLICE DEPARTMENT.

16       2.25 G. NELSON and JANE DOE NELSON constitute a marital community  
17 under the laws of the State of Washington and upon belief reside within KING County  
18 within the Western District of Washington State. Upon belief, G. NELSON was at the  
19 time of the injuries complained of in this complaint, an employee and/or agent of the  
20 CITY OF SEATTLE acting within the scope of his duties as a SERGEANT of the  
21 SEATTLE POLICE DEPARTMENT.

22       2.26 MATTHEW M. DIESZI and JANE DOE DIESZI constitute a marital

1 community under the laws of the State of Washington and upon belief reside within  
2 KING County within the Western District of Washington State. Upon belief,  
3 MATTHEW M. DIESZI was at the time of the injuries complained of in this complaint,  
4 an employee and/or agent of the CITY OF SEATTLE acting within the scope of his  
5 duties as an OFFICER of the SEATTLE POLICE DEPARTMENT.

6 2.27 K. SWANK and JANE DOE SWANK constitute a marital community  
7 under the laws of the State of Washington and upon belief reside within KING County  
8 within the Western District of Washington State. Upon belief, K. SWANK was at the  
9 time of the injuries complained of in this complaint, an employee and/or agent of the  
10 CITY OF SEATTLE acting within the scope of his duties as an OFFICER of the  
11 SEATTLE POLICE DEPARTMENT.

12 2.28 TAD K. WILLOUGHBY and JANE DOE WILLOUGHBY constitute a  
13 marital community under the laws of the State of Washington and upon belief reside  
14 within KING County within the Western District of Washington State. Upon belief,  
15 TAD K. WILLOUGHBY was at the time of the injuries complained of in this complaint,  
16 an employee and/or agent of the CITY OF SEATTLE acting within the scope of his  
17 duties as an OFFICER of the SEATTLE POLICE DEPARTMENT.

18 2.29 MICHAEL WHIDBEY and JANE DOE WHIDBEY constitute a marital  
19 community under the laws of the State of Washington and upon belief reside within  
20 KING County within the Western District of Washington State. Upon belief, MICHAEL  
21 WHIDBEY was at the time of the injuries complained of in this complaint, an employee  
22 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as a

1 DETECTIVE of the SEATTLE POLICE DEPARTMENT.

2 2.30 VERNER O'QUIN and JANE DOE O'QUIN constitute a marital  
3 community under the laws of the State of Washington and upon belief reside within  
4 KING County within the Western District of Washington State. Upon belief, VERNER  
5 O'QUIN was at the time of the injuries complained of in this complaint, an employee  
6 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as a  
7 SERGEANT of the SEATTLE POLICE DEPARTMENT.

8 2.31 SGT. JANDOC and JANE DOE JANDOC constitute a marital community  
9 under the laws of the State of Washington and upon belief reside within KING County  
10 within the Western District of Washington State. Upon belief, SGT. JANDOC was at  
11 the time of the injuries complained of in this complaint, an employee and/or agent of  
12 the CITY OF SEATTLE acting within the scope of his duties as a SERGEANT of the  
13 SEATTLE POLICE DEPARTMENT.

14 2.32 OFFICER LANDERS and JANE DOE LANDERS constitute a marital  
15 community under the laws of the State of Washington and upon belief reside within  
16 KING County within the Western District of Washington State. Upon belief, OFFICER  
17 LANDERS was at the time of the injuries complained of in this complaint, an employee  
18 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as an  
19 OFFICER of the SEATTLE POLICE DEPARTMENT.

20 2.33 LOREN R. STREET and JANE DOE STREET constitute a marital  
21 community under the laws of the State of Washington and upon belief reside within  
22 KING County within the Western District of Washington State. Upon belief, LOREN R.

1 STREET was at the time of the injuries complained of in this complaint, an employee  
2 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as an  
3 OFFICER of the SEATTLE POLICE DEPARTMENT.

4 2.34 P.J. FOX and JANE DOE FOX constitute a marital community under the  
5 laws of the State of Washington and upon belief reside within KING County within the  
6 Western District of Washington State. Upon belief, P.J. FOX was at the time of the  
7 injuries complained of in this complaint, an employee and/or agent of the CITY OF  
8 SEATTLE acting within the scope of his duties as an OFFICER of the SEATTLE  
9 POLICE DEPARTMENT.

10 2.35 THOMAS M. MOONEY and JANE DOE MOONEY constitute a marital  
11 community under the laws of the State of Washington and upon belief reside within  
12 KING County within the Western District of Washington State. Upon belief, THOMAS  
13 M. MOONEY was at the time of the injuries complained of in this complaint, an  
14 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
15 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

16 2.36 K. ZEIGER and JANE DOE K. ZEIGER constitute a marital community  
17 under the laws of the State of Washington and upon belief reside within KING County  
18 within the Western District of Washington State. Upon belief, K. ZEIGER was at the  
19 time of the injuries complained of in this complaint, an employee and/or agent of the  
20 CITY OF SEATTLE acting within the scope of his duties as an OFFICER of the  
21 SEATTLE POLICE DEPARTMENT.

22 2.37 J.J. LEE and JANE DOE LEE constitute a marital community under the



1 laws of the State of Washington and upon belief reside within KING County within the  
2 Western District of Washington State. Upon belief, J.J. LEE was at the time of the  
3 injuries complained of in this complaint, an employee and/or agent of the CITY OF  
4 SEATTLE acting within the scope of his duties as an OFFICER of the SEATTLE  
5 POLICE DEPARTMENT.

6 2.38 RIK K. HALL and JANE DOE HALL constitute a marital community under  
7 the laws of the State of Washington and upon belief reside within KING County within  
8 the Western District of Washington State. Upon belief, RIK K. HALL was at the time of  
9 the injuries complained of in this complaint, an employee and/or agent of the CITY OF  
10 SEATTLE acting within the scope of his duties as an OFFICER of the SEATTLE  
11 POLICE DEPARTMENT.

12 2.39 M. LANZ and JANE DOE LANZ constitute a marital community under  
13 the laws of the State of Washington and upon belief reside within KING County within  
14 the Western District of Washington State. Upon belief, M. LANZ was at the time of the  
15 injuries complained of in this complaint, an employee and/or agent of the CITY OF  
16 SEATTLE acting within the scope of his duties as an OFFICER of the SEATTLE  
17 POLICE DEPARTMENT.

18 2.40 PATRICIA A. MACDONALD and JOHN DOE MACDONALD constitute a  
19 marital community under the laws of the State of Washington and upon belief reside  
20 within KING County within the Western District of Washington State. Upon belief,  
21 PATRICIA A. MACDONALD was at the time of the injuries complained of in this  
22 complaint, an employee and/or agent of the CITY OF SEATTLE acting within the

1 scope of her duties as an OFFICER of the SEATTLE POLICE DEPARTMENT.

2 2.41 WALTER M. HAYDEN and JANE DOE HAYDEN constitute a marital  
3 community under the laws of the State of Washington and upon belief reside within  
4 KING County within the Western District of Washington State. Upon belief, WALTER  
5 M. HAYDEN was at the time of the injuries complained of in this complaint, an  
6 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
7 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

8 2.42 MARK A. GRINSTEAD and JANE DOE GRINSTEAD constitute a marital  
9 community under the laws of the State of Washington and upon belief reside within  
10 KING County within the Western District of Washington State. Upon belief, MARK A.  
11 GRINSTEAD was at the time of the injuries complained of in this complaint, an  
12 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
13 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

14 2.43 TOMMIE M. DORAN and JANE DOE DORAN constitute a marital  
15 community under the laws of the State of Washington and upon belief reside within  
16 KING County within the Western District of Washington State. Upon belief, TOMMIE  
17 M. MORAN was at the time of the injuries complained of in this complaint, an  
18 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
19 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

20 2.44 ADRAIN Z. DIAZ and JANE DOE DIAZ constitute a marital community  
21 under the laws of the State of Washington and upon belief reside within KING County  
22 within the Western District of Washington State. Upon belief, ADIAN Z. DIAZ was at

1 the time of the injuries complained of in this complaint, an employee and/or agent of  
2 the CITY OF SEATTLE acting within the scope of his duties as a SERGEANT of the  
3 SEATTLE POLICE DEPARTMENT.

4 2.45 CHAD L. MCLAUGHLIN and JANE DOE MCLAUGHLIN constitute a  
5 marital community under the laws of the State of Washington and upon belief reside  
6 within KING County within the Western District of Washington State. Upon belief,  
7 CHAD L. MCLAUGHLIN was at the time of the injuries complained of in this complaint,  
8 an employee and/or agent of the CITY OF SEATTLE acting within the scope of his  
9 duties as an OFFICER of the SEATTLE POLICE DEPARTMENT.

10 2.46 BRAD CONWAY and JANE DOE CONWAY constitute a marital  
11 community under the laws of the State of Washington and upon belief reside within  
12 KING County within the Western District of Washington State. Upon belief, BRAD  
13 CONWAY was at the time of the injuries complained of in this complaint, an employee  
14 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as an  
15 OFFICER of the SEATTLE POLICE DEPARTMENT.

16 2.47 MATTHEW BRADRICK and JANE DOE BRADRICK constitute a marital  
17 community under the laws of the State of Washington and upon belief reside within  
18 KING County within the Western District of Washington State. Upon belief,  
19 MATTHEW BRADRICK was at the time of the injuries complained of in this complaint,  
20 an employee and/or agent of the CITY OF SEATTLE acting within the scope of his  
21 duties as an OFFICER of the SEATTLE POLICE DEPARTMENT.

22 2.48 DAVID FITZGERALD and JANE DOE FITZGERALD constitute a marital

1 community under the laws of the State of Washington and upon belief reside within  
2 KING County within the Western District of Washington State. Upon belief, DAVID  
3 FITZGERALD was at the time of the injuries complained of in this complaint, an  
4 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
5 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

6 2.49 RANDALL A. JOKELA and JANE DOE JOKELA constitute a marital  
7 community under the laws of the State of Washington and upon belief reside within  
8 KING County within the Western District of Washington State. Upon belief, RANDALL  
9 A. JOKELA was at the time of the injuries complained of in this complaint, an  
10 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
11 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

12 2.50 GEORGE HISSUNG, JR. AND JANE DOE HISSUNG constitute a marital  
13 community under the laws of the State of Washington and upon belief reside within  
14 KING County within the Western District of Washington State. Upon belief, GEORGE  
15 HISSUNG, JR. was at the time of the injuries complained of in this complaint, an  
16 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
17 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

18 2.51 JASON G. DRUMMOND AND JANE DOE DRUMMOND constitutes a  
19 marital community under the laws of the State of Washington and upon belief resides  
20 within KING County within the Western District of Washington State. Upon belief,  
21 JASON G. DRUMMOND was at the time of the injuries complained of in this  
22 complaint, an employee and/or agent of the CITY OF SEATTLE acting within the

1 scope of his duties as an OFFICER of the SEATTLE POLICE DEPARTMENT.

2 2.52 JOHN A. DIAZ and JANE DOE DIAZ constitute a marital community  
3 under the laws of the State of Washington and upon belief reside within KING County  
4 within the Western District of Washington State. Upon belief, JOHN A. DIAZ was at  
5 the time of the injuries complained of in this complaint, an employee and/or agent of  
6 the CITY OF SEATTLE acting within the scope of his duties as an OFFICER of the  
7 SEATTLE POLICE DEPARTMENT.

8 2.53 OFFICER MCCRAE and JANE DOE MCCRAE constitute a marital  
9 community under the laws of the State of Washington and upon belief reside within  
10 KING County within the Western District of Washington State. Upon belief, OFFICER  
11 MCCRAE was at the time of the injuries complained of in this complaint, an employee  
12 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as an  
13 OFFICER of the SEATTLE POLICE DEPARTMENT.

14 2.54 JAMES B. PATCHEN and JANE DOE PATCHEN constitute a marital  
15 community under the laws of the State of Washington and upon belief reside within  
16 KING County within the Western District of Washington State. Upon belief, JAMES B.  
17 PATCHEN was at the time of the injuries complained of in this complaint, an employee  
18 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as an  
19 OFFICER of the SEATTLE POLICE DEPARTMENT.

20 2.55 MICHAEL M. SUDDUTH and JANE DOE SUDDUTH constitute a marital  
21 community under the laws of the State of Washington and upon belief reside within  
22 KING County within the Western District of Washington State. Upon belief, MICHAEL

1 M. SUDDUTH was at the time of the injuries complained of in this complaint, an  
2 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
3 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

4 2.56 WILLIE WILLIAMS and JANE DOE WILLIAMS constitute a marital  
5 community under the laws of the State of Washington and upon belief reside within  
6 KING County within the Western District of Washington State. Upon belief, WILLIE  
7 WILLIAMS was at the time of the injuries complained of in this complaint, an employee  
8 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as an  
9 OFFICER of the SEATTLE POLICE DEPARTMENT.

10 2.57 W. CRAVENS and JANE DOE CRAVENS constitute a marital  
11 community under the laws of the State of Washington and upon belief reside within  
12 KING County within the Western District of Washington State. Upon belief, W.  
13 CRAVENS was at the time of the injuries complained of in this complaint, an employee  
14 and/or agent of the CITY OF SEATTLE acting within the scope of his duties as an  
15 OFFICER of the SEATTLE POLICE DEPARTMENT.

16 2.58 R. BOURNES and JANE DOE BOURNES constitute a marital  
17 community under the laws of the State of Washington and upon belief reside within  
18 KING County within the Western District of Washington State. Upon belief, R.  
19 BOURNES was at the time of the injuries complained of in this complaint, an  
20 employee and/or agent of the CITY OF SEATTLE acting within the scope of his duties  
21 as an OFFICER of the SEATTLE POLICE DEPARTMENT.

22 2.59 MARK L. WORSTMAN and JANE DOE WORSTMAN constitute a

1 marital community under the laws of the State of Washington and upon belief reside  
2 within KING County within the Western District of Washington State. Upon belief,  
3 MARK L. WORSTMAN was at the time of the injuries complained of in this complaint,  
4 an employee and/or agent of the CITY OF SEATTLE acting within the scope of his  
5 duties as a SERGEANT of the SEATTLE POLICE DEPARTMENT.

6       2.60 BILL GARDINER and JANE DOE GARDINER constitute a marital  
7 community under the laws of the State of Washington and upon belief reside within  
8 KING County within the Western District of Washington State. Upon belief, BILL  
9 GARDINER was at the time of the injuries complained of in this complaint, under a  
10 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
11 within the scope of his duties as a LIEUTENANT of the WASHINGTON STATE  
12 PATROL.

13       2.61 MARK W. LAMOREAUX and JANE DOE LAMOREAUX constitute a  
14 marital community under the laws of the State of Washington and upon belief reside  
15 within KING County within the Western District of Washington State. Upon belief,  
16 MARK W. LAMOREAUX was at the time of the injuries complained of in this  
17 complaint, under a material aid agreement an employee and/or agent of the CITY OF  
18 SEATTLE acting within the scope of his duties as a LIEUTENANT of the  
19 WASHINGTON STATE PATROL.

20       2.62 SHAWN BERRY and JANE DOE BERRY constitute a marital community  
21 under the laws of the State of Washington and upon belief reside within KING County  
22 within the Western District of Washington State. Upon belief, SHAWN BERRY was at



1 the time of the injuries complained of in this complaint, under a material aid agreement  
2 an employee and/or agent of the CITY OF SEATTLE acting within the scope of his  
3 duties as a DETECTIVE of the WASHINGTON STATE PATROL.

4 2.63 JAMES A. CHROMEY and JANE DOE CHROMEY constitute a marital  
5 community under the laws of the State of Washington and upon belief reside within  
6 KING County within the Western District of Washington State. Upon belief, JAMES A.  
7 CHROMEY was at the time of the injuries complained of in this complaint, under a  
8 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
9 within the scope of his duties as a LIEUTENANT of the WASHINGTON STATE  
10 PATROL.

11 2.64 DAVID W. BOURLAND and JANE DOE BOURLAND constitute a marital  
12 community under the laws of the State of Washington and upon belief reside within  
13 KING County within the Western District of Washington State. Upon belief, DAVID W.  
14 BOURLAND was at the time of the injuries complained of in this complaint, under a  
15 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
16 within the scope of his duties as a TROOPER of the WASHINGTON STATE  
17 PATROL.

18 2.65 CURT G. BOYLE and JANE DOE BOYLE constitute a marital  
19 community under the laws of the State of Washington and upon belief reside within  
20 KING County within the Western District of Washington State. Upon belief, CURT G.  
21 BOYLE was at the time of the injuries complained of in this complaint, under a  
22 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting

1 within the scope of his duties as a TROOPER of the WASHINGTON STATE  
2 PATROL.

3 2.66 RICARDO BRITO and JANE DOE BRITO constitute a marital  
4 community under the laws of the State of Washington and upon belief reside within  
5 KING County within the Western District of Washington State. Upon belief, RICARDO  
6 BRITO was at the time of the injuries complained of in this complaint, under a material  
7 aid agreement an employee and/or agent of the CITY OF SEATTLE acting within the  
8 scope of his duties as a TROOPER of the WASHINGTON STATE PATROL.

9 2.67 DARIN F. DE RUWE and JANE DOE DE RUWE constitute a marital  
10 community under the laws of the State of Washington and upon belief reside within  
11 KING County within the Western District of Washington State. Upon belief, DARIN F.  
12 DE RUWE was at the time of the injuries complained of in this complaint, under a  
13 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
14 within the scope of his duties as a TROOPER of the WASHINGTON STATE  
15 PATROL.

16 2.68 BRYAN R. DUCOMMUN and JANE DOE DUCOMMUN constitute a  
17 marital community under the laws of the State of Washington and upon belief reside  
18 within KING County within the Western District of Washington State. Upon belief,  
19 BRYAN R. DUCOMMUN was at the time of the injuries complained of in this  
20 complaint, under a material aid agreement an employee and/or agent of the CITY OF  
21 SEATTLE acting within the scope of his duties as a TROOPER of the WASHINGTON  
22 STATE PATROL.

1           2.69   ANN E. DUTTON and JOHN DOE DUTTON constitute a marital  
2   community under the laws of the State of Washington and upon belief reside within  
3   KING County within the Western District of Washington State. Upon belief, ANN E.  
4   DUTTON was at the time of the injuries complained of in this complaint, under a  
5   material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
6   within the scope of her duties as a DETECTIVE of the WASHINGTON STATE  
7   PATROL.

8           2.70   KEVIN L. FORRESTER and JANE DOE FORRESTER constitute a  
9   marital community under the laws of the State of Washington and upon belief reside  
10   within KING County within the Western District of Washington State. Upon belief,  
11   KEVIN L. FORRESTER was, at the time of the injuries complained of in this complaint,  
12   under a material aid agreement an employee and/or agent of the CITY OF SEATTLE  
13   acting within the scope of his duties as a DETECTIVE of the WASHINGTON STATE  
14   PATROL.

15          2.71   JOEL W. GORDON and JANE DOE GORDON constitute a marital  
16   community under the laws of the State of Washington and upon belief reside within  
17   KING County within the Western District of Washington State. Upon belief, JOEL W.  
18   GORDON was at the time of the injuries complained of in this complaint, under a  
19   material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
20   within the scope of his duties as a DETECTIVE of the WASHINGTON STATE  
21   PATROL.

22          2.72   CHRIS T. GUNDERMANN and JANE DOE GUNDERMANN constitute a

1 marital community under the laws of the State of Washington and upon belief reside  
2 within KING County within the Western District of Washington State. Upon belief,  
3 CHRIS T. GUNDERMANN was at the time of the injuries complained of in this  
4 complaint, under a material aid agreement an employee and/or agent of the CITY OF  
5 SEATTLE acting within the scope of his duties as a SERGEANT of the  
6 WASHINGTON STATE PATROL.

7 2.73 JOI J. HANER and JOHN DOE HANER constitute a marital community  
8 under the laws of the State of Washington and upon belief reside within KING County  
9 within the Western District of Washington State. Upon belief, JOI J. HANER was at  
10 the time of the injuries complained of in this complaint, under a material aid agreement  
11 an employee and/or agent of the CITY OF SEATTLE acting within the scope of her  
12 duties as a TROOPER of the WASHINGTON STATE PATROL.

13 2.74 ROGER D. HANSBERRY and JANE DOE HANSBERRY constitute a  
14 marital community under the laws of the State of Washington and upon belief reside  
15 within KING County within the Western District of Washington State. Upon belief,  
16 ROGER D. HANSBERRY was at the time of the injuries complained of in this  
17 complaint, under a material aid agreement an employee and/or agent of the CITY OF  
18 SEATTLE acting within the scope of his duties as a TROOPER of the WASHINGTON  
19 STATE PATROL.

20 2.75 RUSSELL J. HANSON and JANE DOE HANSON constitute a marital  
21 community under the laws of the State of Washington and upon belief reside within  
22 KING County within the Western District of Washington State. Upon belief, RUSSELL

1 J. HANSON was at the time of the injuries complained of in this complaint, under a  
2 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
3 within the scope of his duties as a TROOPER of the WASHINGTON STATE  
4 PATROL.

5 2.76 JEFFREY R. KERSHAW and JANE DOE KERSHAW constitute a  
6 marital community under the laws of the State of Washington and upon belief reside  
7 within KING County within the Western District of Washington State. Upon belief,  
8 JEFFREY R. KERSHAW was at the time of the injuries complained of in this  
9 complaint, under a material aid agreement an employee and/or agent of the CITY OF  
10 SEATTLE acting within the scope of his duties as a DETECTIVE of the  
11 WASHINGTON STATE PATROL.

12 2.77 DANIEL L. MANN and JANE DOE MANN constitute a marital community  
13 under the laws of the State of Washington and upon belief reside within KING County  
14 within the Western District of Washington State. Upon belief, DANIEL L. MANN was  
15 at the time of the injuries complained of in this complaint, under a material aid  
16 agreement an employee and/or agent of the CITY OF SEATTLE acting within the  
17 scope of his duties as a DETECTIVE of the WASHINGTON STATE PATROL.

18 2.79 GEORGE R. MARS and JANE DOE MARS constitute a marital  
19 community under the laws of the State of Washington and upon belief reside within  
20 KING County within the Western District of Washington State. Upon belief, GEORGE  
21 R. MARS was at the time of the injuries complained of in this complaint, under a  
22 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting

1 within the scope of his duties as a DETECTIVE of the WASHINGTON STATE  
2 PATROL.

3 2.80 JOHN G. MCMULLEN and JANE DOE MCMULLEN constitute a marital  
4 community under the laws of the State of Washington and upon belief reside within  
5 KING County within the Western District of Washington State. Upon belief, JOHN G.  
6 MCMULLEN was at the time of the injuries complained of in this complaint, under a  
7 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
8 within the scope of his duties as a TROOPER of the WASHINGTON STATE  
9 PATROL.

10 2.81 DARRELL R. NOYES and JANE DOE NOYES constitute a marital  
11 community under the laws of the State of Washington and upon belief reside within  
12 KING County within the Western District of Washington State. Upon belief, DARRELL  
13 R. NOYES was at the time of the injuries complained of in this complaint, under a  
14 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
15 within the scope of his duties as a TROOPER of the WASHINGTON STATE  
16 PATROL.

17 2.82 STEVEN E. REEVES and JANE DOE REEVES constitute a marital  
18 community under the laws of the State of Washington and upon belief reside within  
19 KING County within the Western District of Washington State. Upon belief, STEVEN  
20 E. REEVES was at the time of the injuries complained of in this complaint, under a  
21 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
22 within the scope of his duties as a TROOPER of the WASHINGTON STATE

1 PATROL.

2 2.83 WESLEY H. RETHWILL and JANE DOE RETHWILL constitute a marital  
3 community under the laws of the State of Washington and upon belief reside within  
4 KING County within the Western District of Washington State. Upon belief, WESLEY  
5 H. RETHWILL was at the time of the injuries complained of in this complaint, under a  
6 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
7 within the scope of his duties as a SERGEANT of the WASHINGTON STATE  
8 PATROL.

9 2.84 CRAIG L. SAHLINGER and JANE DOE SAHLINGER constitute a  
10 marital community under the laws of the State of Washington and upon belief reside  
11 within KING County within the Western District of Washington State. Upon belief,  
12 CRAIG L. SAHLINGER was at the time of the injuries complained of in this complaint,  
13 under a material aid agreement an employee and/or agent of the CITY OF SEATTLE  
14 acting within the scope of his duties as a TROOPER of the WASHINGTON STATE  
15 PATROL.

16 2.85 DAVID J. BROWNE and JANE DOE BROWNE constitute a marital  
17 community under the laws of the State of Washington and upon belief reside within  
18 KING County within the Western District of Washington State. Upon belief, DAVID J.  
19 BROWNE was at the time of the injuries complained of in this complaint, under a  
20 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
21 within the scope of his duties as a SERGEANT of the WASHINGTON STATE  
22 PATROL.



1           2.86 GARY D. GASSELING and JANE DOE GASSELING constitute a  
2 marital community under the laws of the State of Washington and upon belief reside  
3 within KING County within the Western District of Washington State. Upon belief,  
4 GARY D. GASSELING was at the time of the injuries complained of in this complaint,  
5 under a material aid agreement an employee and/or agent of the CITY OF SEATTLE  
6 acting within the scope of his duties as a SERGEANT of the WASHINGTON STATE  
7 PATROL.

8           2.87 PAUL M. STANEK III and JANE DOE STANEK constitute a marital  
9 community under the laws of the State of Washington and upon belief reside within  
10 KING County within the Western District of Washington State. Upon belief, PAUL M.  
11 STANEK III was at the time of the injuries complained of in this complaint, under a  
12 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
13 within the scope of his duties as a DETECTIVE of the WASHINGTON STATE  
14 PATROL.

15           2.88 RICHARD A. TAYLOR and JANE DOE TAYLOR constitute a marital  
16 community under the laws of the State of Washington and upon belief reside within  
17 KING County within the Western District of Washington State. Upon belief, RICHARD  
18 A. TAYLOR was at the time of the injuries complained of in this complaint, under a  
19 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
20 within the scope of his duties as a DETECTIVE of the WASHINGTON STATE  
21 PATROL.

22           2.89 GARY M. WILCOX and JANE DOE WILCOX constitute a marital

1 community under the laws of the State of Washington and upon belief reside within  
2 KING County within the Western District of Washington State. Upon belief, GARY M.  
3 WILCOX was at the time of the injuries complained of in this complaint, under a  
4 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
5 within the scope of his duties as a DETECTIVE of the WASHINGTON STATE  
6 PATROL.

7 2.90 OREST D. WILSON and JANE DOE WILSON constitute a marital  
8 community under the laws of the State of Washington and upon belief reside within  
9 KING County within the Western District of Washington State. Upon belief, OREST D.  
10 WILSON was at the time of the injuries complained of in this complaint, under a  
11 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
12 within the scope of his duties as a DETECTIVE of the WASHINGTON STATE  
13 PATROL.

14 2.91 RONALD W. SERPAS and JANE DOE SERPAS constitute a marital  
15 community under the laws of the State of Washington and upon belief reside within  
16 KING County within the Western District of Washington State. Upon belief, RONALD  
17 W. SERPAS was at the time of the injuries complained of in this complaint, under a  
18 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
19 within the scope of his duties as the CHIEF of the WASHINGTON STATE PATROL.

20 2.92 DANIEL E. EIKEM and JANE DOE EIKEM constitute a marital community  
21 under the laws of the State of Washington and upon belief reside within KING County  
22 within the Western District of Washington State. Upon belief, DANIEL E. EIKEM was

1 at the time of the injuries complained of in this complaint, under a material aid  
2 agreement an employee and/or agent of the CITY OF SEATTLE acting within the  
3 scope of his duties as a CAPTAIN of the WASHINGTON STATE PATROL.

4 2.93 STEVEN D. MCCULLEY and JANE DOE MCCULLEY constitute a marital  
5 community under the laws of the State of Washington and upon belief reside within  
6 KING County within the Western District of Washington State. Upon belief, STEVEN  
7 D. MCCULLEY was at the time of the injuries complained of in this complaint, under a  
8 material aid agreement an employee and/or agent of the CITY OF SEATTLE acting  
9 within the scope of his duties as a LIEUTENANT of the WASHINGTON STATE  
10 PATROL.

11 2.94 There are numerous other persons, identities presently unknown to  
12 Plaintiffs who are, and were at all times mentioned herein, supervisors, incident  
13 commanders, and decision-makers OF THE CITY OF SEATTLE, and the SEATTLE  
14 POLICE DEPARTMENT and/or the other involved agencies, who acted in concert with  
15 the above named Defendants and who devised or approved the police strategy for  
16 responding to the demonstration and police response thereto that are the subject of  
17 this action and in doing the things hereinafter alleged, acted under color of state law  
18 as agents of the CITY OF SEATTLE and with its full consent and approval.

19 2.95. There are also numerous Does, who are employees and/or Managers or  
20 agents of Defendant LEIU who were directly involved in planning, organizing, and  
21 orchestrating the response to the demonstration in question, including to Plaintiffs,  
22 and are responsible for the harm suffered by Plaintiffs.

1           2.96. DOES 1-500 are, and were at all times mentioned herein, OFFICERS,  
2       Supervisors, and the Incident Commander For This Demonstration Of The Police  
3       Department Of The CITY OF SEATTLE, Or Other CITY, other Public Agency or  
4       Private Actors or Officials involved in the planning, creation, development or exercise  
5       of Police Force and Control against the demonstration in question, the response to  
6       which is the subject of this action, and in committing the acts and omissions herein  
7       alleged hereinafter alleged, acted under color of state law as agents of the CITY OF  
8       SEATTLE and the SEATTLE POLICE DEPARTMENT and with its full consent and  
9       approval.

10           2.97 DOES 1-100 are MANUFACTURERS OF LESS LETHAL WEAPONRY do  
11       substantial business in Washington, and reasonably and purposely avail themselves  
12       of the laws of the State of Washington, there product was misrepresented, subject to  
13       design flaws, not fit for purpose, and or otherwise improper for the purpose of crowd  
14       control at peaceful demonstrations, and was thus involved in the incidents herein  
15       alleged, and therefore is subject to the jurisdiction of this court.

16           2.98 DOES 1-100 are DISTRIBUTORS and/or SALES AGENTS OF LESS  
17       LETHAL WEAPONRY do substantial business in Washington, and reasonably and  
18       purposely avail themselves of the laws of the State of Washington, there product was  
19       misrepresented, subject to design flaws, not fit for purpose, and or otherwise improper  
20       for the purpose of crowd control at peaceful demonstrations, and was thus involved in  
21       the incidents herein alleged, and therefore is subject to the jurisdiction of this court.

22           2.99 This action is brought pursuant to the First, Fourth, Fifth, Eighth, and

1 Fourteenth Amendments to the United States Constitution, Article 1, Section 5 and  
2 Article 1, Section 7 of the Washington State Constitution, 42 U.S.C. 1983, 1988,  
3 Revised Code of Washington Title 9, Chapter 62, Section 10(1), Washington State  
4 common law prohibiting assault, battery, intentional infliction of emotional distress,  
5 false arrest and false imprisonment, and misappropriation of or damage to personal  
6 property, Washington common law negligence.

7 2.100. Captain SANFORD was himself at the scene, involved in the decision-  
8 making and active in creating the Constitutional and other legal violations that  
9 occurred and that are the subject of this action.

10 2.101 Between June 3 2003 and June 2, 2004, Plaintiffs served Defendant  
11 CITY OF SEATTLE with Notices of Claim, which were acknowledged by the county  
12 shortly thereafter. Substantially more than 60 days has gone by since the service of  
13 those claims without an acceptance or rejection. Therefore Plaintiffs have fulfilled  
14 their obligations under the statute.

15  
16 **III. FACTS a) Overall**

17 3.1 Plaintiffs were participants in a permitted, peaceful, and lawful  
18 demonstration against the Law Enforcement Intelligence Unit (LEIU.) This  
19 demonstration was permitted by the city and the police. In the course of this permitted  
20 demonstration Plaintiffs were subjected to unreasonable force. All plaintiffs were  
21 subjected to improper uses of "less lethal" weaponry, including chemical agents,  
22 rubber balls, wooden dowels, batons and "pepper-ball rounds" and/or other improper